

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 18, 2001

DIVISION ONE

B107857 Coe
 v.
 City Of Los Angeles et al.

Filed order denying petition for rehearing.

B134726 Dalgarn
 v.
 Nilsson, Robbins, Dalgarn, Berliner, Carson & Wurst

Filed order denying petition for rehearing.

B144465 Advanced Bionics Corporation et al.
 v.
 Medtronic, Inc.

B144920 Medtronic, Inc.
 v.
 SCLA
 Advanced Bionics Corporation et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

B141402 Leticia Marchetta
 v.
 Aerolineas Argentinas et al.

Filed order denying petition for rehearing.

April 18, 2001-Continued

DIVISION TWO (Continued)

B144303 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Griselda R.
 In re Uriel C. et al., persons coming under the Juvenile Court Law

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

B141937 Jorge Sandoval Valencia et al.
 v.
 Jose C. Rodriguez et al.

Filed order denying petition for rehearing.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Ray Hernandez, Deputy Clerk.

Each of the following:

B132147 Hill, James v. Hill, Cheryl L.
B143733 D.C.F.S. v. S., Andy
B144941 D.C.F.S. v. A., Maggie
B143844 D.C.F.S. v. H., Rodney et al.

Argument waived, cause submitted.

DIVISION THREE (Continued)

B145504 Carter
 v.
 City of Pasadena Fire Department

Merits:
Argued waived by appellant and by Richard R. Terzian for respondent.
Cause submitted.

B141523 Lin
 v.
 Intercommunity Dialysis Center

Merits:
Argued by Tracy L. Tuohy for appellant. Argument waived by respondent.
Cause submitted.

B138143 Aseora
 v.
 Miracle Home Health Agency et al.

Merits:
Argued by Noel A. Obiora for appellants. Argument waived by
respondent. Cause submitted.

B134182 Truck Insurance Exchange
 v.
 County of Los Angeles

Merits:
Argued by Michael J. Rothmans for appellant and by Gerard Fisher for
respondent. Cause submitted.

DIVISION THREE (Continued)

B143674 Griffith
 v.
 SCLA
 Medical Board of California

Merits:

Argued by Peter Oscine for petitioner and by Cindy Lopez, deputy attorney general for the real party in interest.

B134877 Save Open Spaces/Santa Monica Mountains
 v.
 Santa Monica Mountains Conservancy et al.

Merits:

Argued by H. Melvin Swift for appellant and by Daniel Olives, deputy attorney general, and Nick Carlen for respondents. Cause submitted.

B137590 Perez et al.
 v.
 Day et al.

Merits:

Argued by Robert Gentian for appellants and by Edmund Farrell for respondents. Cause submitted.

Court recessed at 12:15 P.M.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Ray Hernandez, Deputy Clerk.

DIVISION THREE (Continued)

Each of the following:

B144421 D.C.F.S. v. Divendra S.

B144127 D.C.F.S. v. Brian T.

B142120 People v. Jackson

B142366 People v. Embry

B144393 People v. Petrosyan

Argument waived, cause submitted.

B132494 Nosrati
 v.
 Gonhue

Merits:

Argued by Ronald J. Neer for respondent and by Norman Pine for appellant. Cause submitted.

B137258 Klajic
 v.
 Castaic Lake Water Agency

Merits:

Argued by Jennifer Kilpatrick for appellant and by R. Bruce Tepper for respondent. Cause submitted.

B140862 Payne
 v.
 City of Los Angeles

Merits:

Argued by David P. Cwiklo for appellant and by Blithe A. Smith for respondent. Cause submitted.

DIVISION THREE (Continued)

B139742 People
 v.
 Alejo

Appearances:

Daniel Rogers, deputy attorney general, for respondent. No appearance by counsel for appellant. Argument waived, cause submitted.

Court adjourned at 3:05 P.M.

DIVISION FOUR

B134941 Cox et al.
 v.
 Shields et al.

Filed order denying petition for rehearing.

B145029 Howard Gunty (Certified for Publication)
B145270 Profit Sharing Plan et al.
 v.
 Superior Court, Los Angeles County
 (Greenwood, et al., r.p.i.)

The order to show cause is discharged, and the petitions for writ of mandate are granted. The matter is remanded to the trial court with directions to vacate the orders previously made and for further hearing consistent with this opinion to determine class certification and the need for court intervention in the communication process, if necessary. Each party shall bear its own costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Curry, J.

DIVISION FOUR (Continued)

B139170 People
 v.
 Rosario

Filed order denying petition for rehearing.

B146156 People (Not for Publication)
 v.
 Caceres

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
 Curry, J.

DIVISION FIVE

B142914 People (Not for Publication)
 v.
 Kenneth Boagni

The judgment is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B141475 People (Not for Publication)
v.
Shavon A. Walker

The judgment is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
Armstrong, J.

B137513 People (Not for Publication)
v.
Ray L. Lavea

The judgment is reversed only as to the sentence imposed on the count 4 Penal Code Section 12022.5, subdivision (a) enhancement. In all other respects, the judgment is affirmed. The matter is remanded to the trial court for imposition of an authorized sentence consistent with the views expressed herein.

Willhite, J. (Assigned)

We concur: Grignon, Acting P.J.
Armstrong, J.

B143806 People (Not for Publication)
v.
Ebony Nicole O.
In re Ebony Nicole O., a Person Coming Under the Juvenile Court Law

The order denying the motion to suppress the confession is affirmed.

Willhite, J. (Assigned)

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B140307 People (Not for Publication)
v.
David Austin

The judgment is affirmed. We direct the clerk of the superior court to correct the February 16, 2000, minute order and the abstract of judgment to accurately reflect that the 25-year-to-life sentences as to counts 1,2,and 3 were tripled pursuant to Penal Code sections 667, subdivisions (b) through (i) and 1170.12 and were ordered to run consecutively to one another.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B142775 David Jones (Not for Publication)
v.
Bradley N. Leff, as trustee etc.

The judgment is affirmed. Respondent(s) to recover costs.

Turner, P.J.

We concur: Grignon, J.
Willhite, J. (Assigned)

B135569 Dennis Palmieri (Not for Publication)
v.
Retinal Consultants of Southern California Medical Group, Inc. et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

April 18, 2001-Continued

DIVISION FIVE (Continued)

B146068 People (Not for Publication)
v.
Herman Roberson

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Willhite, J. (Assigned)

B143474 Videotape Plus Inc., et al. (Not for Publication)
v.
Vincent J. Lyons et al.

The judgment is reversed and the trial court is directed to enter a new and different order denying respondents' motion for judgment on the pleadings. Appellants to recover their costs on appeal.

Willhite, J. (Assigned)

We concur: Grignon, Acting P.J.
Armstrong, J.

DIVISION SIX

B141465 Lespade
v.
Dempsey

Petition for rehearing is denied.

B141556 Mirzai
v.
Priest

Petition for rehearing is denied.

April 18, 2001-Continued

DIVISION SIX (Continued)

B142461 People (Not for Publication)
v.
Knight

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B136927 Rosa (Not for Publication)
v.
Aidikoff

The judgment is affirmed. Costs to respondents.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.